FEDERAL REGISTER

VOLUME 4 NUMBER 62

Washington, Friday, March 31, 1939

Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT

FARM CREDIT ADMINISTRATION

[FCA 129]

THE FEDERAL LAND BANK OF WICHITA—REAMORTIZATION FEES—PAYABLE WHEN APPLICATION FOR REAMORTIZATION IS FILED

Sec. 29.6 of Title 6, Code of Federal Regulations, is amended to read as follows:

"SEC. 29.6 *Reamortization fees—payable when application for reamortization is filed.* Effective February 28, 1939, upon all applications for reamortization received on or after February 28, 1939, the following reamortization fees, to wit:

(1) On Federal Land Bank loans, $10.00;
(2) On Land Bank Commissioner loans, $7.50; and
(3) On joint loans, $15.00;

shall be charged and collected in advance with each application for reamortization.

In all cases in which the application for reamortization is not approved, the fee will be returned, unless a reappraisal has been made, in which case the fee will be retained. (Sec. 13 "Thirteenth," 39 Stat. 372, as amended, 12 U. S. C. 781 "Thirteenth"; Sec. 32, 48 Stat. 48, as amended, 12 U. S. C. 1016; Sec. 1, 48 Stat. 344, 12 U. S. C. 1020; Sec. 2, 48 Stat. 345, 12 U. S. C. 1020a; 6 CFR 19.4043 and 19.4045) [Res. Ex. Com., Feb. 28, 1939]"

THE FEDERAL LAND BANK OF WICHITA.
ROY S. JOHNSON,
President.

Confirmed:
RICHARD H. JONES,
Vice President Treasurer.

[F. R. Doc. 39-1083; Filed, March 30, 1939; 12:23 p. m.]

TITLE 7—AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

[ACP-99]

REGULATIONS PERTAINING TO MAKING OF ADVANCES TO PERSONS TO ENABLE THEM TO OBTAIN INSURANCE FROM THE FEDERAL CROP INSURANCE CORPORATION

By virtue of the authority vested in the Secretary of Agriculture by the Act entitled, "An Act to amend section 12 of the Soil Conservation and Domestic Allotment Act, as amended," approved March 25, 1939, I, H. A. Wallace, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations governing the making of advances to persons for the purpose of assisting them to insure their crops with the Federal Crop Insurance Corporation, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture under said provisions of law.

Done at Washington, D. C., this 29th day of March, 1939. Witness my hand and the seal of the Department of Agriculture.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

SECTION 1. DEFINITIONS

As used herein and in all forms and documents relating to the making of advances to persons to enable them to obtain insurance from the Federal Crop Insurance Corporation (hereinafter referred to as an advance), unless the context or subject matter otherwise requires, the terms:

(a) Secretary, Administrator, Regional Director, State committee, county committee and person shall have the meanings as assigned to them in the Agricultural Conservation Program Bulletin issued for the crop year with respect to which a person applies for insurance with the Federal Crop Insurance Corporation.

(b) The Corporation means the Federal Crop Insurance Corporation.

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FEDERAL REGISTER

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SEC. 2. ELIGIBILITY FOR AN ADVANCE

In order to be eligible to request an advance a person at the time of making such request,

(1) must file, or have previously filed with the county committee, the application(s) for crop insurance to which the request for advance relates;

(2) must be participating, or agree to participate, in the Agricultural Conservation Program relating to the crop year to which the application(s) for insurance relates to an extent to which the sum of the estimated payment to be earned under such program and the estimated payments, if any, earned or to be earned under any other programs administered by the Department of Agriculture with respect to the same or preceding crop years, less the pro rata deduction, if any, for county association expenses, and less the amount of the conservation payment which has been assigned, exceeds the sum of such person's indebtedness to the Agricultural Adjustment Administration, and to the various agencies and departments of the Federal Government as set forth in the Order Governing Set-offs Revised by the Secretary of Agriculture, October 25, 1938, by an amount (hereinafter referred to as net payment) at least equal to the amount for which the request for advance is made; provided, however, that in the event the net payment is less than the requested advance by an amount not in excess of the amount of the agricultural conservation program payment which has been assigned, then if such person obtains a waiver from the assignee(s) of such assignment(s) to the extent of the amount of the advance, the amount so waived shall be considered as a part of the net payment under this Section 2.

(3) must authorize the Secretary to deduct the amount of the advance from any payment to which such person then or thereafter becomes entitled under any program administered by the Department, must agree, upon notice from the Secretary or his agent, to repay the amount of advance owing to the Secretary on the date of such notice, and must assign to the Secretary his right and interest in all indemnities payable under policies issued to him by the Corporation to the extent of the amount of the advance owing to the Secretary at the time claim for any such indemnity is made;

(4) must agree that the authorization for deduction and the assignment of indemnities, as set forth in (3) above, shall apply to payments and indemnities due him which are made to his successor in interest because of death, incompetency, insolvency or bankruptcy.

SEC. 3. REQUEST FOR ADVANCE

An advance will be made only upon request therefor submitted through the county office on a prescribed form. Only one request form per county shall be filed by a person and such form shall relate to all applications for insurance filed by him in the county and for which an advance is desired, provided, however, that if subsequent to filing such a request a person desires to obtain insurance with respect to another farm in the county, or desires to increase his insurance coverage under a policy for which an advance was previously requested, he may file a supplemental request for advance of the additional amount of premium.

SEC. 4. MANNER OF PAYMENT

The amount of advance will be remitted directly to the Corporation. In the event the amount of the advance remitted to the Corporation is in excess of the amount of premium(s) due, the excess will be returned by the Corporation to the Secretary and the producer's account credited with such amount.

SEC. 5. FORMS AND INSTRUCTIONS

The Agricultural Adjustment Administration shall prescribe such forms and issue such instructions as may be necessary to carry out these regulations.

SEC. 6. SIGNATURES AND AUTHORIZATION

The provisions of ACF–16, "Instructions on Signatures and Authorizations," are hereby made a part of these regulations.

[F. R. Doc. 39–1086; Filed, March 30, 1939; 12:47 p. m.]

SUGAR DIVISION

DETERMINATION OF FAIR AND REASONABLE WAGE RATES FOR PERSONS EMPLOYED IN PRODUCTION, CULTIVATION, OR HARVESTING OF 1939 CROP OF SUGAR BEETS

MARCH 30, 1939.

Whereas, Section 301 (b) of the Sugar Act of 1937 provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

(b) That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: *Provided, however,* That a payment which would be payable except for the foregoing provisions of this subsection may be made, as the secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payment.

Whereas, the Secretary of Agriculture, pursuant to a notice of hearing,[1]

[1] 3 F. R. 3065 DI.

dated December 20, 1938, held public hearings for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1939 crop of sugar beets.

Now, therefore, I, H. A. Wallace, Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearings and all other information before me, do hereby make the following determination:

SEC. 802.14a *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1939 crop of sugar beets.* Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1939 crop of sugar beets shall be as follows:

For any farm or part of a farm which is covered by a separate labor agreement, from which sugar beets are contracted to be delivered to factories located in the following districts:

District I—Ohio, Michigan, Indiana, and Wisconsin:

Blocking, thinning, and hoeing, $11.00 per acre.

Topping:

Net tons per acre:	Rate per ton
Below 4	$1.50
4	1.30
5	1.15
6	1.06
7	1.00
8	.96
9	.93
10	.91
11	.89
12	.87
13	.85
14	.83
15	.81
16 or above	.80

(The rate for all fractional tonnages between 4 and 16 tons rounded to the nearest tenth of a ton shall be in proportion within each interval.)

District II—Minnesota and Iowa:

Blocking, thinning and hoeing:

"Old method" or "hill drop" fields, $12.00 per acre.

"Blocked" fields, $10.50 per acre.

"Cross cultivated" fields, $9.50 per acre.

Topping: 90¢ for each ton up to and including 7 tons per acre plus 80¢ for each ton per acre above 7 tons, with a minimum of $5.40 per acre.

District III—Kansas:

Blocking and thinning: $8.00 per acre.

First hoeing: $2.00 per acre.

Second and subsequent hoeings or weedings: $1.00 per acre.

Topping: 80¢ for each ton up to and including 12 tons per acre plus 70¢ for each ton per acre above 12 tons.

District IV—Nebraska, Colorado, Southern Wyoming, and South Dakota:

Blocking and thinning: $8.00 per acre.

First hoeing: $2.50 per acre.

Second and subsequent hoeings or weedings: $1.50 per acre.

Topping: 80¢ for each ton up to and including 12 tons per acre plus 70¢ for each ton per acre above 12 tons.

District V—Southern and Eastern Montana, and Northern Wyoming:

Blocking and thinning: $9.50 per acre.

First hoeing: $2.50 per acre.

Second and subsequent hoeings or weedings: $1.50 per acre.

Topping: 80¢ for each ton up to and including 12 tons per acre plus 70¢ for each ton per acre above 12 tons.

District VI—Western Montana:

Blocking and thinning: $8.50 per acre.

First hoeing: $3.00 per acre.

Second and subsequent hoeings or weedings: $2.00 per acre.

Topping: 80¢ for each ton up to and including 12 tons per acre plus 70¢ for each ton per acre above 12 tons.

District VII—Northern Montana:

Blocking and thinning: $8.50 per acre.

First hoeing: $3.00 per acre.

Second and subsequent hoeings or weedings: $2.00 per acre.

Topping and loading: 95¢ for each ton up to and including 12 tons per acre plus 85¢ for each ton per acre above 12 tons.

District VIII—Utah, Idaho, and Oregon:

Blocking and thinning: $8.00 per acre.

First hoeing: $2.00 per acre.

Second and subsequent hoeings or weedings: $1.00 per acre.

Topping and loading:

Net tons per acre:	Rate per ton
6 or below	$1.30
7	1.23
8	1.16
9	1.10
10	1.05
11	1.01
12	.97
13	.94
14	.91
15	.89
16	.87
17	.86
18 or above	.85

When topping and loading are performed by different persons, 30 per cent of the above rates shall be paid for loading.

(The rate for all fractional tonnages between 6 and 18 tons rounded to the nearest tenth of a ton shall be in proportion within each interval.)

District IX—Washington:

Blocking and thinning: $7.50 per acre, or 40¢ per hour.

First hoeing: $2.00 per acre, or 35¢ per hour.

Second and subsequent hoeings or weedings: $1.50 per acre or 35¢ per hour.

Topping: 70¢ per ton or 45¢ per hour.

Loading: 30¢ per ton or 45¢ per hour.

Provided, however, That if, because of unusual circumstances, it is essential to employ labor for the operations for which rates are specified herein on other than a piece rate basis, the fair and reasonable rate shall be the rate agreed upon between the producer and the laborer, provided such rate is approved by the State Committee as equivalent to the piece rate for such work specified herein: *And Provided further,* That in instances in which the use of special machine methods of planting, cultivation or harvesting reduce the amount of labor required as compared with the common method in use in the area for the operations for which rates are specified herein, the fair and reasonable rate shall be the rate agreed upon between the producer and the laborer, provided such rate is approved by the State Committee as equivalent to the piece rate specified herein for the part of such work performed: *And Provided further,* That the foregoing shall not be construed to mean that a producer may qualify for payment who has not paid in full for all work in connection with the production, cultivation or harvesting of sugar beets the amount agreed upon between the producer and the laborer: *And Provided further,* That in addition to the foregoing, the producer shall furnish to the laborer, without charge, the perquisites customarily furnished by him, such as a house, garden plot, and similar incidentals: *And Provided further,* That the producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above. (Sec. 301, 50 Stat. 909, 7 U. S. C., Sup. IV, 1131.)

Done at Washington, D. C., this 30th day of March 1939. Witness my hand and the seal of the Department of Agriculture.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 39-1087; Filed, March 30, 1939; 12:47 p. m.]

TITLE 16—COMMERCIAL PRACTICES

FEDERAL TRADE COMMISSION

[Docket No. 3316]

IN THE MATTER OF MARVEL PRODUCTS COMPANY

SEC. 3.6 (a) (20) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Personnel:* SEC. 3.6 (a) (21) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Plant and equipment.* Representing, in connection with offer, etc., in commerce, of "Hair Marvel," hair and scalp lotion or preparation, or of any other preparation with substantially similar ingredients or properties, through use of the word "laboratory" or any other word or words of similar import and meaning, in advertisements, circulars, letterheads and other printed matter, or in any other manner, that the respondent owns, operates or controls a scientific laboratory, employs

trained scientists and technicians, and is equipped to test his products in the manner and with the methods used by recognized scientific laboratories, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Marvel Products Company, Docket 3316, March 21, 1939]

SEC. 3.6 (n) (2) *Advertising falsely or misleadingly—Nature—Product:* SEC. 3.6 (x) *Advertising falsely or misleadingly—Results:* SEC. 3.66 (d) *Misbranding or mislabeling—Nature:* SEC. 3.66 (j 10) *Misbranding or mislabeling—Results.* Representing, in connection with offer, etc., in commerce, of "Hair Marvel," hair and scalp lotion or preparation, or of any other preparation with substantially similar ingredients or properties, that said preparation is not a hair dye or is something other than a hair dye, or that it will restore the natural color of the hair, or that it will stimulate the growth of hair or restore the scalp to a natural, healthy condition, or that it will rejuvenate, invigorate or nourish the roots of the hair, or will stop falling hair or eradicate dandruff, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Marvel Products Company, Docket 3316, March 21, 1939]

SEC. 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* SEC. 3.6 (y) *Advertising falsely or misleadingly—Safety:* SEC. 3.66 (h) *Misbranding or mislabeling—Qualities or properties:* SEC. 3.66 (j 15) *Misbranding or mislabeling—Safety.* Representing, in connection with offer, etc., in commerce, of "Hair Marvel," hair and scalp lotion or preparation, or of any other preparation with substantially similar ingredients or properties, that said preparation is an effective cure or remedy for alopecia, psoriasis, itch, eczema, or blotchy scalp, or possesses germicidal or antiseptic properties, or does not have the detrimental qualities usually attributed to hair dyes or is unqualifiedly safe for use, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Marvel Products Company, Docket 3316, March 21, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

IN THE MATTER OF ROBERT C. TAYLOR, AN INDIVIDUAL, TRADING AS MARVEL PRODUCTS COMPANY

ORDER TO CEASE AND DESIST

This proceeding having been heard[1] by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before Edward J. Hornibrook, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, and the brief of counsel for the Commission in support of the complaint, no brief having been filed on behalf of the respondent and no oral arguments having been requested or made, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Robert C. Taylor, individually and trading as Marvel Products Company, or trading under any other name, his agents, servants, representatives and employes, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as commerce is defined in the Federal Trade Commission Act, of hair and scalp lotion or preparation now designated by the name of "Hair Marvel," or any other preparation composed of substantially similar ingredients, or possessing substantially similar properties, whether sold under that name or under any other name, do forthwith cease and desist from:

(1) Representing through the use of the word "Laboratory" or any other word or words of similar import and meaning, in advertisements, circulars, letterheads and other printed matter, or in any other manner, that the respondent owns, operates or controls a scientific laboratory, employs trained scientists and technicians, and is equipped to test his products in the manner and with the methods used by recognized scientific laboratories.

(2) Representing that said preparation is not a hair dye or is something other than a hair dye or that it will restore the natural color of the hair.

(3) Representing that said preparation will stimulate the growth of hair or restore the scalp to a natural, healthy condition.

(4) Representing that said preparation will rejuvenate, invigorate or nourish the roots of the hair.

(5) Representing that said preparation will stop falling hair or eradicate dandruff.

(6) Representing that said preparation is an effective cure or remedy for alopecia, psoriasis, itch, eczema, or blothchy scalp.

(7) Representing that said preparation possesses germicidal or antiseptic properties.

(8) Representing directly or indirectly that said preparation does not have the detrimental qualities usually attributed to hair dyes or that it is unqualifiedly safe for use.

It is further ordered, That the respondent shall, within ten (10) days after service upon him of this order, file with the Commission an interim report in writing stating whether he intends to comply with this order, and, if so, setting forth in detail the manner and form in which he intends to comply; and that, within sixty (60) days after service upon him of this order, said respondent shall file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 39-1062; Filed, March 29, 1939; 3:48 p. m.]

[Docket No. 3454]

IN THE MATTER OF K & K SUPPLY COMPANY, INC.

SEC. 3.66 (k) (4) *Misbranding or mislabeling—Source or origin—Place.* Representing, in connection with offer, etc., in commerce, of bicycles, bicycle frames, parts and accessories, by use of misleading, fictitious or obsolete nameplates or emblems, or in any other manner, that the bicycles sold, etc., by respondent are wholly of American manufacture, when such products, or the frames thereof, are of foreign manufacture, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, K & K Supply Company, Inc., Docket 3454, March 21, 1939]

SEC. 3.69 (b) (16) *Misrepresenting oneself and goods—Goods—Source or origin—Place.* Causing, in connection with offer, etc., in commerce, of bicycles, bicycle frames, parts and accessories, brands or marks on imported bicycle frames, or other parts, or other similar products, which indicate foreign origin or manufacture of such merchandise, to be removed, erased or concealed so as to mislead or deceive purchasers, etc., with reference to the foreign origin or manufacture thereof, unless the removal, etc., of said brands or marks is necessary to the further manufacture or processing of such merchandise, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, K & K Supply Company, Inc., Docket 3454, March 21, 1939]

SEC. 3.55 *Furnishing means and instrumentalities of misrepresentation and deception.* Furnishing, in connection with offer, etc., in commerce, of bicycles, bicycle frames, parts and accessories, dealers or distributors with any brands, emblems or any other devices which enable such dealers, etc., to cover up, erase or conceal brands or marks indicating foreign origin of bicycles, bicycle frames or other parts, or other similar products, or which enable such dealers, etc., to represent bicycles, etc., of foreign manufacture as being of American manufacture, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112;

[1] 3 F. R. 1340 DI.

15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, K & K Supply Company, Inc., Docket 3454, March 21, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

ORDER TO CEASE AND DESIST

This proceeding having been heard[1] by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before John J. Keenan, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, and the brief of counsel for the Commission in support of the complaint (no brief having been filed on behalf of the respondent and no oral arguments having been requested or made), and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, K & K Supply Company, Inc., its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of bicycles, bicycle frames, parts and accessories in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist, directly or indirectly, from:

(1) Representing, by the use of misleading, fictitious or obsolete nameplates or emblems, or in any other manner, that the bicycles sold and distributed by the respondent are wholly of American manufacture, when such products, or the frames thereof, or a substantial portion of the parts thereof, are of foreign manufacture;

(2) Causing the brands or marks on imported bicycle frames or other parts, or other similar products, which indicate the foreign origin or manufacture of such merchandise, to be removed, erased or concealed so as to mislead or deceive purchasers and prospective purchasers with reference to the foreign origin or manufacture thereof, unless the removal or erasure or concealment of said brands or marks is necessary to the further manufacture or processing of said merchandise;

(3) Furnishing to dealers or distributors any brands, emblems or any other devices which enable such dealers or distributors to cover up, erase or conceal brands or marks indicating foreign origin of bicycles, bicycle frames or other parts, or other similar products, or which enable such dealers or distributors to represent bicycles, bicycle frames or other parts, or other similar merchandise of foreign manufacture as being of American manufacture.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 39-1063; Filed, March 29, 1939; 3:48 p. m.]

[1] 3 F. R. 2135 DI.

[Docket No. 3606]

IN THE MATTER OF H. S. MCCRACKEN BOX & LABEL COMPANY

SEC. 3.55 *Furnishing means and instrumentalities of misrepresentation and deception.* Furnishing, in connection with offer, etc., in commerce, of boxes, cartons, labels, circulars or other printed matter ["English Crown Female (representation of a crown) Pills," etc., together with printed directions and claims], dealers or distributors with boxes, cartons, containers, circulars or other printed matter which enable said dealers or distributors to mislead and deceive the purchasing public with reference to the place of origin of the products sold and distributed by them, or the name of the manufacturer or compounder thereof, or the remedial or therapeutic value of such products, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, H. S. McCracken Box & Label Company, Docket 3606, March 21, 1939]

SEC. 3.66 (k) (2) *Misbranding or mislabeling—Source or origin—History:* SEC. 3.66 (k) (3) *Misbranding or mislabeling—Source or origin—Maker:* SEC. 3.66 (k) (4) *Misbranding or mislabeling—Source or origin—Place.* Representing, in connection with offer, etc., in commerce, of boxes, cartons, labels, circulars or other printed matter ["English Crown Female (representation of a crown) Pills," etc., together with printed directions and claims], by any name or address designating the manufacturer, or by seals, emblems or any other device, or in any other manner, that said products, or the contents of said boxes, cartons or containers are manufactured at any place other than the place of manufacturer, or that they are manufactured by or for any person, corporation or partnership, other than the person, corporation or partnership by whom or for whom said boxes, cartons or containers or the contents thereof are actually manufactured, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec 45b) [Cease and desist order, H. S. McCracken Box & Label Company, Docket 3606, March 21, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

IN THE MATTER OF H. S. MCCRACKEN BOX & LABEL COMPANY, A CORPORATION

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that it waives all intervening procedure and further hearing as to the said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, H. S. McCracken Box & Label Company, a corporation, its officers, representatives, agents, servants, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of boxes, cartons, labels, circulars or other printed matter in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Furnishing to dealers or distributors boxes, cartons, containers, circulars or other printed matter which enable said dealers or distributors to mislead and deceive the purchasing public with reference to the place of origin of the products sold and distributed by them, or the name of the manufacturer or compounder thereof, or the remedial or therapeutic value of such products;

(2) Representing, by any name or address designating the manufacturer, or by seals, emblems or any other device, or in any other manner, that said products, or the contents of said boxes, cartons or containers are manufactured at any place other than the place of manufacture or that they are manufactured by or for any person, corporation or partnership, other than the person, corporation or partnership by whom or for whom said boxes, cartons or containers or the contents thereof are actually manufactured.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and

form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 39-1064; Filed, March 29, 1939; 3:49 p. m.]

[Docket No. 3621]

IN THE MATTER OF ARTISTIC TAILORING COMPANY, ETC.

SEC. 3.6 (a) (22) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer—Manufacturer:* SEC. 3.96 (b) (5) *Using misleading name—Vendor—Producer or laboratory status of dealer.* Representing, in connection with offer, etc., in commerce, of workman's service suits, uniforms, shirts, caps, and other wearing apparel, through use of word "tailoring" or any word of similar import or meaning, in respondent's trade name or through any other means or device or in any manner, that the products sold, etc., by him are made or manufactured by him, or that he owns, operates or maintains a tailoring plant for the manufacture of clothing, unless and until such respondent actually owns and operates, or directly and absolutely controls, a manufacturing plant wherein said products are manufactured by him, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Artistic Tailoring Company, etc., Docket 3621, March 22, 1939]

SEC. 3.6 (a) (20) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Personnel:* SEC. 3.6 (a) (21) *Advertising falsely or misleadingly — Business status, advantages or connections of advertiser—Plant and equipment.* Representing, in connection with offer, etc., in commerce, of workmen's service suits, uniforms, shirts, caps, and other wearing apparel, that respondent owns, operates or maintains the latest up-to-date tailoring equipment and machines, or that he employs workmen or tailors who are thoroughly experienced in the use of such up-to-date machinery or equipment, when such are not the facts, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Artistic Tailoring Company, etc., Docket 3621, March 22, 1939]

SEC. 3.6 (a) (29) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Size.* Representing, in connection with offer, etc., in commerce, of workmen's service suits, uniforms, shirts, caps, and other wearing apparel, through use of fictitious addresses or in any other manner, that respondent has branch offices in various localities where in fact no such branch office exists, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Artistic Tailoring Company, etc., Docket 3621, March 22, 1939]

SEC. 3.6 (a) (22) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer—Manufacturer:* SEC. 3.6 (u) *Advertising falsely or misleadingly—Quality.* Representing, in connection with offer, etc., in commerce, of workmen's service suits, uniforms, shirts, caps, and other wearing apparel, that respondent is a manufacturer of Shield Brand, or any other brand, of uniforms, caps, trousers, shirts, jackets and other articles of wear which respondent does not in fact manufacture, or that respondent is a tailor of the world's finest uniforms, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Artistic Tailoring Company, etc., Docket 3621, March 22, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22nd day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

IN THE MATTER OF JACK KING, ALIAS ORRIS DEMATTEIS, AN INDIVIDUAL TRADING AS ARTISTIC TAILORING COMPANY, AND ARTISTIC UNIFORM & TAILORING COMPANY

ORDER TO CEASE AND DESIST

This proceeding having been heard[1] by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusions that respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondent, Jack King, alias Orris DeMatteis, individually and trading as Artistic Tailoring Company and Artistic Uniform & Tailoring Company, or trading under any other name, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of workmen's service suits, uniforms, shirts, caps, and other wearing apparel in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing through the use of the word "tailoring" or any word of similar import or meaning in his trade name or through any other means or device or in any manner that the products sold and distributed by respondent are made or manufactured by him, or that he owns, operates or maintains a tailoring plant for the manufacture of clothing, unless and until such respondent actually owns and operates or directly and absolutely controls a manufacturing plant wherein said products are manufactured by him;

(2) Representing that he owns, operates or maintains the latest up-to-date tailoring equipment and machines, or that he employs workmen or tailors who are thoroughly experienced in the use of such up-to-date machinery or equipment when such are not the facts;

(3) Representing through the use of fictitious addresses or any other manner that respondent has branch offices in various localities where in fact no such branch office exists;

(4) Representing that respondent is a manufacturer of Shield Brand or any other brand of uniforms, caps, trousers, shirts, jackets and other articles of wear which the respondent does not in fact manufacture;

(5) Representing that respondent is a tailor of the world's finest uniforms.

It is further ordered, That the respondent shall within sixty days after service upon him of this order file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 39-1066; Filed, March 30, 1939; 9:09 a. m.]

[Docket No. 3696]

IN THE MATTER OF BURN, POLLAK & BEER

SEC. 3.69 (b) 15 (c) *Misrepresenting oneself and goods—Goods—Scientific or other relevant facts.* Representing, in connection with offer, etc., in commerce, of loden cloth, or any cloth or fabric of similar weave or content, that any mill or plant located in that European territory known as the Tyrol is the sole producer of Tyrolean woven loden cloth, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Burn, Pollak & Beer, Docket 3696, March 18, 1939]

SEC. 3.69 (b) (3) *Misrepresenting oneself and goods—Goods—Exclusive rights to or monopoly in.* Representing, in connection with offer, etc., in commerce, of loden cloth, or any cloth or fabric of similar weave or content, that Tyrolean woven loden cloth can be procured in the United States only through or from the respondents, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease

[1] 4 F. R. 478 DI.

and desist order, Burn, Pollak & Beer, Docket 3696, March 18, 1939]

SEC. 3.69 (b) 15 (c) *Misrepresenting oneself and goods—Goods—Scientific or other relevant facts.* Representing, in connection with offer, etc., in commerce, of loden cloth, or any cloth or fabric of similar weave or content, that the water in the Tyrol gives Tyrolean woven loden cloth distinctive qualities which can not be obtained in loden cloth produced elsewhere, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Burn, Pollak & Beer, Docket 3696, March 18, 1939]

SEC. 3.69 (b) (1) *Misrepresenting oneself and goods—Goods—Composition.* Representing, in connection with offer, etc., in commerce, of loden cloth, or any cloth or fabric of similar weave or content, that said loden cloth is made wholly of Tyrolese wool, unless and until said cloth is made wholly and exclusively from the wool of sheep grown in the Tyrol, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Burn, Pollak & Beer, Docket 3696, March 18, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayers.

IN THE MATTER OF SEYMOUR BURN, ARTHUR POLLAK, AND FRANZ BEER, COPARTNERS, TRADING AS BURN, POLLAK & BEER

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint, and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Seymour Burn, Arthur Pollak and Franz Beer, individually and as copartners, trading as Burn, Pollak & Beer, or under any other name or names, their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of loden cloth, or any cloth or fabric of similar weave or content, in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing directly or indirectly:

(a) That any mill or plant located in that European territory known as the Tyrol is the sole producer of Tyrolean woven loden cloth;

(b) That Tyrolean woven loden cloth can be procured in the United States only through or from the respondents;

(c) That the water in the Tyrol gives Tyrolean woven loden cloth distinctive qualities which can not be obtained in loden cloth produced elsewhere;

(d) That said loden cloth is made wholly of Tyrolese wool unless and until said cloth is made wholly and exclusively from the wool of sheep grown in the Tyrol.

It is further ordered, That the respondents shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 39-1065; Filed, March 29, 1939; 3:49 p. m.]

[Docket No. 3698]

IN THE MATTER OF S. & C. SALES

SEC. 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of cameras, sports jackets, pencils, or any other merchandise, others with punchboards, push or pull cards, or other lottery devices, to enable persons supplied to dispose of or sell any merchandise by use thereof, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, S. & C. Sales, Docket 3698, March 21, 1939]

SEC. 3.99 (b) *Using or selling lottery devices—In merchandising.* Mailing, etc., in connection with offer, etc., in commerce, of cameras, sports jackets, pencils, or any other merchandise, to agents, distributors, or members of the public, punchboards, push or pull cards, or other lottery devices so prepared or printed as to enable said persons to sell or distribute any merchandise by use thereof, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, S. & C. Sales, Docket 3698, March 21, 1939]

SEC. 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of cameras, sports jackets, pencils, or any other merchandise, any merchandise by use of punchboards, push or pull cards, or other lottery devices, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, S. & C. Sales, Docket 3698, March 21, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

IN THE MATTER OF SAMUEL COHEN INDIVIDUALLY AND TRADING AS S. & C. SALES

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Samuel Cohen, individually and trading as S. & C. Sales, or under any other name or names, his agents, representatives, and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of cameras, sports jackets, pencils or any other merchandise in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Supplying to or placing in the hands of others punchboards, push or pull cards or other lottery devices for the purpose of enabling such persons to dispose of or sell any merchandise by the use thereof;

(2) Mailing, shipping or transporting to agents or to distributors or members of the public punchboards, push or pull cards or other lottery devices so prepared or printed as to enable said persons to sell or distribute any merchandise by the use thereof;

(3) Selling or otherwise disposing of any merchandise by the use of punchboards, push or pull cards or other lottery devices.

It is further ordered, That the respondent shall, within sixty days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 39-1067; Filed, March 30, 1939; 9:09 a. m.]

[Docket No. 3701]

IN THE MATTER OF JOSEPH SCULLER, INC., ET AL.

SEC. 3.6 (a) (22) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer—Manufacturer.* Representing, in connection with offer, etc., in commerce, of watches, rings, diamonds, jewelry and other merchandise, that respondents manufacture such merchandise, unless and until they own and operate, or directly and absolutely control, the plant or factory wherein such merchandise is manufactured, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Joseph Sculler, Inc., et al., Docket 3701, March 22, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22nd day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

IN THE MATTER OF JOSEPH SCULLER, INC., A CORPORATION, JOSEPH SCULLER, MRS. JOSEPH SCULLER, AND HAMEL GURWIN, INDIVIDUALLY AND AS OFFICERS OF JOSEPH SCULLER, INC.

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint, and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondent, Joseph Sculler, Inc., its officers, and respondents Joseph Sculler, Mrs. Joseph Sculler and Hamel Gurwin, the representatives, agents and employees of said respondents, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of watches, rings, diamonds, jewelry and other merchandise, in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Representing, directly or indirectly, that they manufacture such merchandise unless and until they own and operate, or directly and absolutely control, the plant or factory wherein such merchandise is manufactured.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 39-1068; Filed, March 30, 1939; 9:10 a. m.]

TITLE 24—HOUSING CREDIT

HOME OWNERS' LOAN CORPORATION

PART 401, GENERAL

PROHIBITING FEE ASSIGNMENTS TO FULL-TIME SALARIED GOVERNMENT EMPLOYEES

Amending Part 401 of Title 24 of the Code of Federal Regulations

Section 401 is amended by adding the following section to be numbered Section 401.07 to read as follows:

Assignments for services to be performed on a fee basis shall not be made to a person who is a full-time or part-time salaried employee of the United States, or any department or agency thereof, or any corporate agency or instrumentality of the United States having no capital stock, or all of whose capital stock (except any qualifying shares of directors or similar officers which may be otherwise owned) is beneficially owned, directly or indirectly, by the United States. Assignments for services to be performed on a fee basis may be made to a person who is a WAE employee of the United States, or any department or agency thereof, or of any such corporate agency or instrumentality of the United States; provided that fee service shall not be performed by such an employee of the Corporation on the same day as WAE employment by the Corporation.

(Effective April 3, 1939.)

(Home Owners' Loan Act of 1933, 48 Stat. 129, 132 as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k).)

[SEAL] R. L. NAGLE, *Secretary.*

[F. R. Doc. 39-1076; Filed, March 30, 1939; 11:08 a. m.]

PART 402, LOAN SERVICE

APPLICATION OF OTHER MISCELLANEOUS CREDITS

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations

Section 402.15–2 is amended to read as follows:

Generally miscellaneous credits should apply to the principal of a home owner's account in proportion to the reduction of security. However, it is recognized that the sources of the miscellaneous credit, the condition of the home owner's account and other circumstances of each case may warrant other application of these funds. It is not generally contemplated to use miscellaneous credits as prepayments on any account. Miscellaneous credits shall be applied to the appropriate account as provided in Section 800 (1) of Chapter VIII of the Manual unless the Regional Manager shall otherwise direct.

Where miscellaneous credits are so applied as to materially reduce the unmatured principal indebtedness, the home owner may make application for an extension and the same may be received and processed in accordance with the provisions of Section 213, Subsection 5 and Articles thereunder.

(Effective April 15, 1939.)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k).)

[SEAL] R. L. NAGLE, *Secretary.*

[F. R. Doc. 39-1077; Filed, March 30, 1939; 11:08 a. m.]

PART 402, LOAN SERVICE

SPECIAL DEPOSITS

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations

Section 402.14–1 and Section 402.14–2 are amended to read as follows:

Whenever a home owner desires to establish a Special Deposits Account to accumulate funds for the payment of taxes, assessments, other levies or charges, ground rents, or insurance premiums, he shall be referred to the Loan Service Division who shall investigate the circumstances and if it is considered to be in the best interest of the Corporation have Form 533, or other form approved for this purpose, executed in quadruplicate by the home owner.

One copy of Form 533 shall be left with the home owner. On the reverse side of the original and the two remaining copies, the Service Representative shall enter his analysis of the account and show the allocation to be made to the Special Deposits Account.

In connection with the establishment of a Special Deposits Account, it is important that the Service Representative explain to the home owner the monthly billing showing the status of the loan account and the Special Deposits Account.

The Control Supervisor shall forward all copies of Form 533 and Form 532, together with the other servicing reports, to the Analysis and Review Section. If approved by the Analysis and Review Section, the amount to be allocated to the Special Deposits Account shall be indicated in the space provided on the reverse side of Form 533, their recommendation entered on Form 532 and the required approvals obtained. All forms and records shall then be returned to the Control Supervisor who shall forward one copy of Form 532 to the Tax Section as their direction for the payment of the items to be advanced. The remaining copy of Form 532 shall be placed in the Control records. The original copy of Form 533 shall be forwarded to the Regional Accountant, one copy shall be sent to the Tax Section and the remaining copy retained in the Control records.

(Effective April 15, 1939.)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k).)

[SEAL] R. L. NAGLE,
Secretary.

[F. R. Doc. 39–1078; Filed, March 30, 1939; 11:11 a. m.]

PART 402, LOAN SERVICE

CONSENTS RELATING TO MORATORIA

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations

Section 402.03–70 is amended to read as follows:

Consents relating to moratoria affecting taxes, assessments, or other governmental levies or charges shall not be executed unless in the opinion of the State or Regional Counsel, such moratoria are valid and such consents will not affect the enforceability or priority of the Corporation's lien and will not render the Corporation liable for any taxes, assessments, or other governmental levies or charges or for any interest or penalties and the home owner requesting such consent has executed agreement for Special Deposits Form 533.

(Effective April 15, 1939.)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k).)

[SEAL] R. L. NAGLE,
Secretary.

[F. R. Doc. 39–1079; Filed, March 30, 1939; 11:11 a. m.]

PART 402, LOAN SERVICE

ITEMS INCLUDED IN ADVANCES

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations

Section 402.13–2 is amended to read as follows:

Ordinarily, any such extension should be granted only for the payment of principal, including all advances previously made, or made in connection therewith, whether due or not. Extensions including delinquent interest and/or delinquent taxes should only be granted when the Regional Manager determines that the case involves special circumstances and the granting of an extension for the payment of such items would be in the best interests of the Corporation. In every case of extension it is a requirement that the home owner shall have executed Form 533 establishing a Special Deposits account for the payment of taxes. All sums included in the extension shall bear interest at the rate applicable to the original obligation. Advances to be made for repairs, reconditioning or insurance premiums should be handled as separate transactions and not as a part of the extension. Such transactions shall be completed before the extension is granted or handled subsequently as a separate transaction. Legal or appraisal, or other expenses incidental to the closing of the extension, shall either be collected at the time of closing or advanced and charged to the account of the home owner after the extension transaction is completed. All legal fees and expenses shall be incurred, approved, and paid as provided in Part 406 of this title and in Chapter 6 of the Manual.

(Effective April 15, 1939.)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k).)

[SEAL] R. L. NAGLE,
Secretary.

[F. R. Doc. 39–1080; Filed, March 30, 1939; 11:11 a. m.]

PART 402, LOAN SERVICE

PAYMENT OF TAXES, ASSESSMENTS, ETC.

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations

Section 402.03–65 (c) is amended to read as follows:

Unless otherwise directed by the Deputy General Manager in charge of the Loan Service Division, the Regional Manager shall direct the payment of taxes, assessments, other levies or charges or ground rents and advances therefor as may be required as follows:

All such items becoming payable on properties security obligations held by the Corporation or sold under sales instruments by the Corporation where the home owner has Special Deposits Agreement, Form 533, in effect and has forwarded to the Corporation a tax statement or other information for the items to be paid.

On or about the time tax statements or other information regarding items becoming payable are available, the Tax Section shall prepare a form letter addressed to home owners having Special Deposits Agreement Form 533 in effect requesting that the tax statements or other information be forwarded to the Corporation promptly for payment. These form letters shall be sent to the home owners through the Control Sections.

At the time of payment of such items, in the event the balance in the Special Deposits Account for any home owner, with Agreement for Special Deposits, Form 533, in effect is insufficient to provide for the payment of all items then payable, the Regional Manager shall direct the payment of such items and an advance for the account of the home owner to the extent that the balance in the Special Deposits Account may be deficient. In any case where the Regional Manager considers it in the best interest of the Corporation to pay such items even though tax statements or other information are not received from home owners having Special Deposits Agreement, Form 533, in effect, he may direct such payment after proper notification to the home owner.

(Effective April 15, 1939.)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k).)

[SEAL] R. L. NAGLE,
Secretary.

[F. R. Doc. 39–1081; Filed, March 30, 1939; 11:12 a. m.]

PART 402, LOAN SERVICE

AMORTIZED PAYMENTS

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations

Section 402.06–7 is amended to read as follows:

Ordinarily, advances to home owners for the payment of taxes, assessments, other levies or charges, or ground rents shall be payable on demand. However, where analysis of the home owner's circumstances reasonably shows that his account could be maintained in good

standing if such advances were amortized, or, in unusual circumstances, where the Regional Manager considers it in the best interest of the Corporation, he may direct that such advances be payable in amortized payments. In those cases where the advance is to be amortized, payments shall begin with the next installment due date for which the home owner is billed, following receipt of Form 532 by the Regional Accountant unless otherwise directed by the Regional Manager in individual cases. The period of amortization shall not exceed the remaining life of the loan or other contract and should be for the shortest possible time commensurate with the home owner's ability to repay. When the Regional Manager has determined the time and manner in which such advances are to be repaid, he shall instruct the Regional Accountant to notify the home owner in such manner as the Regional Counsel shall approve and bill him accordingly.

(Effective April 15, 1939.)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k).)

[SEAL] R. L. NAGLE,
Secretary.

[F. R. Doc. 39–1075; Filed, March 30, 1939; 11:07 a. m.]

PART 403, PROPERTY MANAGEMENT

DEVIATIONS IN PROCEDURE FOR ALABAMA

Amending Section 403.11–45 of Chapter IV, Title 24, of the Code of Federal Regulations

The following deviations from procedure described in Section 403.11–45 is hereby provided for the State of Alabama.

Where the account of any occupant of a property or unit situate within the State of Alabama is on an interim tenant's account prior to the date of acquisition and a rental arrangement is thereafter contemplated wherein such occupant will continue to occupy the property or unit as a tenant subsequent to the date when the property or unit shall have become owned by the Corporation, such tenancy rental arrangement shall not become effective until any unpaid miscellaneous balances existing prior to "legal title vested date" have been paid and until any unpaid balance resulting from accruals subsequent to "legal title vested date" have been paid in cash by such occupant or amortized over a reasonable period. In such cases in Alabama, it is not required that a new rental agreement between the Corporation and such occupant be obtained from such occupant if prior to "legal title vested date" such occupant held possession of such property or unit as tenant under a written rental agreement with the Corporation as landlord, but such new rental agreement will be required if no such written rental agreement is in existence on "legal title vested date," or if the terms of such written rental agreement subsisting on "legal title vested date" are to be changed as to rental rate or in any other respect, or if any rental delinquency accruing after "legal title vested date" is to be amortized as aforesaid, or if for any other reason it is in the judgment of the Alabama State Manager advisable to obtain such new rental agreement. Any new rental agreement obtained from such occupant hereunder shall conform to the requirements of Manual article 311–45.

Except as is herein otherwise provided, the provisions of Manual article 311–45 shall remain in full force and effect within the State of Alabama. This order is effective as of October 24, 1938.

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k).)

[SEAL] R. L. NAGLE,
Secretary.

[F. R. Doc. 39–1074; Filed, March 30, 1939; 11:07 a. m.]

PART 409, INSURANCE

FINANCED PREMIUM ON DIRECT POLICIES

Amending Part 409 of Chapter IV, Title 24 of the Code of Federal Regulations

Section 409.01–7.1 to be included in Part 409 to read as follows:

When an insurance policy is submitted by a premium financing company with the request for a receipt in acknowledgment thereof, the Regional Insurance Supervisor will execute, without deviation, receipt Form 723, or a receipt in form identical therewith. Upon receipt of request from the finance company for return of the policy covered under the executed receipt, the Regional Insurance Supervisor shall immediately return the policy to the finance company and so advise the mortgagor or vendee and request the submission of replacing insurance in line with the customary cancellation procedure.

(Effective March 27, 1939.)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k).)

[SEAL] R. L. NAGLE,
Secretary.

[F. R. Doc. 39–1072; Filed, March 30, 1939; 11:05 a. m.]

PART 406, LEGAL

SIGNATURES WHERE INDIVIDUAL MEMBERS OF FIRMS ARE APPROVED

Amending Part 406 of Chapter IV, Title 24 of the Code of Federal Regulations

Section 406.01–3 is amended to read as follows:

If a firm of attorneys is approved or employed specially, all certificates, reports, and forms shall be signed in the name of the firm by a member thereof. If a member but not the firm is approved or employed specially, such papers shall be signed by such member.

(Effective March 27, 1939.)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k).)

[SEAL] R. L. NAGLE,
Secretary.

[F. R. Doc. 39–1073; Filed, March 30, 1939; 11:05 a. m.]

TITLE 43—PUBLIC LANDS

BUREAU OF RECLAMATION

[No. 22]

ORLAND IRRIGATION PROJECT, CALIFORNIA

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES [1]

MARCH 1, 1939.

1. Announcement is hereby made that, pending the cancellation of water rights on lands now delinquent in the payment of charges due the United States and the transfer of said water rights to other lands in private ownership that can be served from the constructed canal system, or minor extensions, on the Orland project, California, water will be furnished during the irrigation season of 1939 upon approved applications for temporary water service for the irrigation of such other lands, upon a water rental basis, at the following rates and terms.

2. The minimum water rental charge for the lands to be irrigated under the provisions of this public notice shall be one dollar and sixty cents ($1.60), per irrigable acre, which charge will permit the delivery of not to exceed three acre

[1] Act of June 17, 1902, 32 Stat., 388, as amended or supplemented.

feet of water per acre. Additional water will be furnished at the rate of forty cents ($0.40) per acre foot. The minimum charge defined above will be due and payable at the time that application for temporary water service is executed and no water will be delivered until the minimum charge has been paid in full. Charges for additional water at the rates above specified must be paid in advance of the delivery of additional water and no advance payments shall be accepted in sums of less than $10.00 which would permit the delivery of 25 acre feet at the rate specified.

3. All charges for water rental service are to be paid to the Bureau of Reclamation, Orland, California.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 39–1070; Filed, March 30, 1939; 10:36 a. m.]

TITLE 47—TELECOMMUNICATION

FEDERAL COMMUNICATIONS COMMISSION

EXTENSION OF WORKING DATE OF RULE 981 [1]

NOTICE

In a regular meeting of the Federal Communications Commission held in its offices in Washington, D. C., on the 27th day of March, 1939, the working date of Rule 981 (C. F. R. Sec. 40.02) was extended from March 15, 1939 to September 15, 1939.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 39–1071; Filed, March 30, 1939; 10:36 a. m.]

Notices

CIVIL AERONAUTICS AUTHORITY.

[Docket No. 163]

IN THE MATTER OF THE APPLICATION OF PAN AMERICAN AIRWAYS COMPANY FOR A PERMANENT CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO ENGAGE IN SCHEDULED AIR TRANSPORTATION IN THE CARRIAGE OF PASSENGERS, PROPERTY AND MAIL, ON ROUTES BETWEEN THE UNITED STATES AND EUROPE

[Docket No. 202]

IN THE MATTER OF THE APPLICATION OF PAN AMERICAN AIRWAYS COMPANY FOR AN ORDER FIXING THE FAIR AND REASONABLE RATE OF COMPENSATION FOR THE TRANSPORTATION OF MAIL BETWEEN THE UNITED STATES AND EUROPE

[Docket No.37–406 (A)–1]

IN THE MATTER OF THE APPLICATION OF PAN AMERICAN AIRWAYS COMPANY FOR AN ORDER FIXING THE FAIR AND REASONABLE RATE OF COMPENSATION FOR THE TRANSPORTATION OF MAIL BETWEEN THE UNITED STATES AND BERMUDA

ORDER CONSOLIDATING AND ASSIGNING PROCEEDINGS FOR PUBLIC HEARING

The applications in the above-entitled matters, Docket Nos. 163 and 202,[1] having been assigned for public hearing before the Authority at 10 o'clock A. M. on April 3, 1939, and the application in the above-entitled matter, Docket No. 37–406 (A)–1, not having been assigned for public hearing, and

The Authority having considered the three said applications and it appearing to the Authority that said applications can most advantageously be heard together at one and the same public hearing, and

The calendar of the authority not permitting the convenient setting of the three said applications for hearing on any date prior to April 10, 1939;

It is ordered, That the above-entitled proceedings, Docket Nos. 163 and 202, heretofore set for public hearing before the Authority on April 3, 1939, are hereby continued to April 10, 1939, at 10 o'clock A. M. (eastern standard time), in Room 5044, department of Commerce Building, Washington, D. C.;

That the above-entitled proceeding, Docket No. 37–406 (A)–1, is hereby assigned for public hearing before the Authority at the same time and place; and

That the three above-entitled proceedings are hereby consolidated into one proceeding, but only for the purpose of holding a public hearing thereon.

Dated Washington, D. C., March 28, 1939.

By the Authority:

[SEAL] PAUL J. FRIZZELL,
Secretary.

[F. R. Doc. 39–1084; Filed, March 30, 1939; 12:31 p. m.]

[Docket No. 26–401–E–1]

IN THE MATTER OF THE APPLICATION OF INLAND AIR LINES, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 401 (E) (1) OF THE CIVIL AERONAUTICS ACT OF 1938

ORDER AUTHORIZING ISSUANCE OF CERTIFICATE

At a session of the Civil Aeronautics Authority held in the City of Washington, D. C., on the 28th day of March 1939.

Inland Air Lines, Inc., having filed application for a certificate of public convenience and necessity under section 401 (e) (1) of the Civil Aeronautics Act of 1938, and a full hearing thereon having been held,[2] and the Authority upon consideration of the record of such proceedings having issued its opinion containing its findings of fact, conclusions and decision, which is attached hereto and made a part hereof, and finding that its action in this matter is necessary pursuant to said opinion:

It is ordered, That there be issued to Inland Air Lines, Inc. a certificate of public convenience and necessity authorizing it, subject to the provisions of such certificate, to engage in air transportation with respect to persons, property, and mail between the terminal point Cheyenne, Wyo., the intermediate points Casper, Wyo., Sheridan, Wyo., Billings, Mont., and Lewistown, Mont., and the terminal point Great Falls, Mont.

It is further ordered, That there be issued to Inland Air Lines, Inc., a certificate of public convenience and necessity authorizing it, subject to the provisions of such certificate, to engage in air transportation with respect to persons, property, and mail between the terminal point Cheyenne, Wyo., the intermediate points Scottsbluff, Nebr., Hot Springs, S. Dak., Rapid City, S. Dak., Spearfish, S. Dak., and Pierre, S. Dak., and the terminal point Huron, S. Dak.

It is further ordered, That the exercise of the privileges granted by each of said certificates shall be subject to the terms, conditions and limitations prescribed by Regulation 401–F–1 [3] issued by the Authority on February 24, 1939, all amendments thereto, and such other terms, conditions, and limitations as may from time to time be prescribed by the Authority.

It is further ordered, That said certificates shall be issued in the forms attached hereto and shall be signed on behalf of the Authority by the Chairman of the Authority and shall have affixed thereto the seal of the Authority attested by the Secretary. Said certificates shall be made effective from the 22d day of August, 1938.

By the Authority:

[SEAL] PAUL J. FRIZZELL,
Secretary.

[F. R. Doc. 39–1085; Filed, March 30, 1939; 12:31 p. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 28th day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

[1] C. F. R. Sec. 40.02.

[1] 4 F. R. 1247 DI.
[2] 3 F. R. 2629 DI.

[3] 4 F. R. 1029 DI.

[File No. 21-265]

IN THE MATTER OF PROPOSED TRADE PRACTICE RULES FOR THE MIRROR MANUFACTURING INDUSTRY

NOTICE OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS OR OBJECTIONS

This matter now being before the Federal Trade Commission under its trade practice conference procedure, in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), or other applicable provisions of law administered by the Commission;

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, groups or other parties affected by or having an interest in the proposed trade practice rules for the Mirror Manufacturing Industry to present to the Commission, orally or in writing, their views concerning such rules, including such pertinent information, suggestions or objections, if any, as they desire to submit. For this purpose they may, upon application to the Commission, obtain copies of the proposed rules. Written communications of such matters should be filed with the Commission not later than April 18, 1939. Opportunity for oral hearing and presentation will be afforded at 10 a. m., April 18, 1939, in room 332, Federal Trade Commission Building, Constitution Avenue at Sixth Street, Washington, D. C., to any such persons, partnerships, corporations, associations, groups or other parties as may desire to appear and be heard. After giving due consideration to all matters submitted concerning the proposed rules, the Commission will proceed to their final consideration.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-1069; Filed, March 30, 1939; 10:24 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 29th day of March, A. D. 1939.

[File No. 1-862]

IN THE MATTER OF THE APPLICATIONS OF THE NEW YORK STOCK EXCHANGE TO STRIKE FROM LISTING AND REGISTRATION CERTAIN SECURITIES OF MINNEAPOLIS, ST. PAUL AND SAULT STE. MARIE RAILWAY COMPANY

ORDER GRANTING APPLICATIONS TO STRIKE FROM LISTING AND REGISTRATION

The New York Stock Exchange having applied pursuant to Section 12 (d) of the Securities Exchange Act of 1934 to strike from listing and registration the following securities of Minneapolis, St. Paul and Sault Ste. Marie Railway Company:

(1) Chicago Terminal First Mortgage 4% 30-Year Gold Bonds, due November 1, 1941;
(2) 4% Leased Line Stock Certificates;
(3) Common Stock, $100 Par Value,
(4) 7% Non-Cumulative Preferred Stock, $100 Par Value;

The issuer having assented thereto; a hearing having been held before a trial examiner; the trial examiner having filed an advisory report; the Commission having considered the record and being fully advised in the premises, and having this day filed its findings of fact and opinion herein;

It is ordered, That the applications of the New York Stock Exchange as to said securities be and they are hereby granted, effective at the close of business on April 8, 1939.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1082; Filed, March 30, 1939; 11:44 a. m.]